

## **CITY OF TAKOMA PARK, MARYLAND**

### **PRESENTATION, INTERVIEWS, SPECIAL SESSION AND WORKSESSION OF THE CITY COUNCIL (Adopted October 10, 2005)**

**September 19, 2005**

#### **OFFICIALS PRESENT**

Mayor Porter  
Councilmember Austin-Lane  
Councilmember Barry  
Councilmember Elrich  
Councilmember Ritzo  
Councilmember Seamens  
Councilmember Williams

City Manager Matthews  
Executive Assistant Forster  
Police Captain Coursey  
HCD Director Daines  
Affordable Housing Manager Walker  
Public Works Deputy Director Braithwaite

The City Council convened at 7:40pm in the Municipal Building Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland

#### **COUNCIL COMMENTS**

Mr. Williams announced a supply of cards with instructions on how to make emergency plans, called "Z" cards. There is a website, [www.makeaplan.org](http://www.makeaplan.org), which has more information. He also informed the Council and the public about a difficult situation that the City was made aware of months before at 12 Jefferson Avenue, where the owner of the property has had difficulties with trees. He also made Council aware that in the State of Maryland, it is allowed for residents to take down their own tree.

Mr. Seamens requested a policy clarification on Takoma Park's non-citizen voter registration form. He said it may now be less restrictive than state law.

The City Manager agreed to have staff follow-up on Mr. Seamens' request.

Mr. Seamens moved on to say that he learned that there are approximately 150 Hurricane Katrina victims living in Montgomery County. Contributions to victims may be dropped off at 149 Ritchie Avenue. He also announced that the Washington Post has issued their self-sufficiency standard for the Washington, DC area.

Ms. Ritzo commented on the last two Council meetings and the Council's decision-making process. She addressed the time spent on agenda items and suggested that Council should not be micro-managing and making decisions based on frustration.

Ms. Austin-Lane commented on the Metro development and her meeting with Gordon Linton, WMATA board member, to talk about bus access.

Mr. Barry thanked his colleagues who attended the recent Gang Forum. He then announced that a second part of the forum will be held to focus entirely on prevention.

## **PUBLIC COMMENTS**

Pat Loveless, 7620 Maple Avenue, commented on the upcoming dedication, October 22, for the new building and the community center. He asked Council if it is possible to have a food drive as part of that dedication, and suggested holding a blood drive as well.

Seth Grimes, 7300 Willow: Mr. Grimes commented pedestrian safety in the parking lot. (Written comments attached.)

Heather Mizeur, 7200 Maple, stated that residents in Ward 2 continue to have issues with safety, including the red light camera. She spoke of a company, American Traffic Solutions, who will cover the cost, the maintenance and the replacement of red light cameras. This is a revenue neutral to revenue generating program. It is already being used in University Park, Riverdale Park, and there's an RFP waiting for approval at P.G. County and Anne Arundel County.

## **PRESENTATION**

### **1. Update on the Community Center Construction Project**

City Manager Matthews reported that the major outstanding issues are utility related. There are issues dealing with WSSC in completing the building and getting occupancy. TRG Construction is the company on the next phase of construction. Ms. Matthews did approach TRG Construction regarding Mr. Elrich's request to grant the City additional time on Bid #3 on security systems. She reported also that the Liaison Committee has been engaging in very active fundraising and has donated \$92,000 for furniture and equipment. The Committee has requested that the City pick up the expense for a plaque in the atrium that would list names of those who have donated money for projects, as well as plaques to be placed in the room. The cost is \$10,000 or more.

## **INTERVIEWS**

### **2. Interview of Applicant for Tree Commission - Pat Howell**

Council interviewed Pat Howell.

The Mayor noted that Ms. Howell is now the longest serving commissioner. Ms. Howell commented that she is committed to preserving the trees in Takoma Park and along Sligo Creek Parkway.

## **2. Interview of Applicants for Public Safety Citizens Advisory Committee - Aron Houston, Len Clay, and Darren Morgan**

Council interviewed all three applicants: Aron Houston, Len Clay, and Darren Morgan

## **3. Interview of Applicants for Ethics Commission - Arthur Gary, Emily Schabacker and Mark Freedman**

Council interviewed Arthur Gary and Emily Schabacker.

Mark Freedman was not present.

## **SPECIAL SESSION**

### **4. Resolution Concerning a Response to Hurricane Katrina**

Mr. Seamens stated that the resolution asks the City to support the inquiry into what exactly happened and what the shortcomings were in the preparedness for Hurricane Katrina in New Orleans.

Motion by Seamens; second by Austin-Lane.

Resolution 2005-72 was adopted (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

#### **Resolution 2005-72 (Attached)**

### **5. Amendment to the Takoma Park Code, Chapter 14.04, Nuclear Free Zone Chapter**

Jay Levy, Chair of NFZ informed the Council that the Washington Post had a story which reported that the Nuclear Regulatory Commission has approved a new waste site in the desert, 50 miles south of South Lake. Given the fact that the government can proceed in two years to move nuclear waste, this could come through the City.

Motion by Elrich; second by Austin-Lane.

Ordinance 2005-29 was accepted at first reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

#### **Ordinance 2005-29 (Attached)**

**5. First Reading Ordinance: Increase in Local Supplement to State Homeowner Property Tax Credit**

Ms. Porter explained the ordinance which will provide greater tax relief from City property taxes for low income homeowners who are eligible for the State Homeowner Property Tax Credit.

Motion by Elrich; second by Austin-Lane.

Ordinance 2005-30 was accepted at first reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

**Ordinance 2005-30  
(Attached)**

**6. 2nd Reading Ordinance Regarding FY06 Budget Amendment No. 1**

City Manager Matthews explained the changes made after first reading, which concerned funding for Community Center landscaping and the renovation of 7133 Carroll.

Mr. Elrich moved; Mr. Barry seconded.

Ordinance 2005-28 was adopted by roll-call vote (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

**Ordinance 2005-28  
(Attached)**

**7. Single Reading Ordinance Authorizing the Purchase of a Non-Channelized, Bi-Directional Amplifier (BDA) Antenna System**

Captain Coursey explained the ordinance. Ms. Austin-Lane moved; Mr. Barry seconded.

Ordinance 2005-31 was adopted by roll-call vote (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

**Ordinance 2005-31  
(Attached)**

**8. Single Reading Ordinance: Purchase of a Leaf Collection Vacuum**

Deputy Director Braithwaite of Public Works explained the need to purchase the leaf vacuum from a provider determined to be a sole source provider. The vacuums are rotated every 10 years or so, and time has come for a new one.

Mr. Elrich moved; Mr. Barry seconded.

Ordinance 2005-32 was adopted by roll-call vote (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

**Ordinance 2005-32  
(Attached)**

**9. First Reading Ordinance Authorizing Agreement for Financial and Accounting Services**

City Manager Matthews explained the agreement with financial consultant Linda McKenzie and recommended that the City continue to use her on an “as needed” basis.

Motion by Austin-Lane; second by Williams.

Ordinance 2005-33 was accepted at first reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Ritzo, Seamens, Williams).

**BREAK**

The Council recessed for a scheduled break at 9:30 p.m. and resumed at 9:40 p.m.

**WORKSESSION**

**10. Discussion of Proposed Tenant Opportunity to Purchase Revolving Loan Fund**

Affordable Housing Manager Walker explained the revolving loan fund. The maximum loan amount the City places is \$25,000 with 0% interest rate. To be eligible, a resident would have had to live in a building with 7 or more units. She mentions the document that was handed out to Council before the meeting that explains the breakdown of the rates. They are working on an agreement where certain percentage of units that are sold would have to be on medium income. Repayment to the City will come at time of closing. If a tenant association did not go forth for purchase, then the loan would be forgiven.

HCD Director Daines explains that the second principle is the percent of the medium. Ms. Walker has broken figures down by various percentages, from a federal standpoint.

Mr. Elrich stated that he would like to use the 80% figure. Just looking at the numbers, it appears as though a person has to spend 30% of their income, which means they’d have to have \$1200.00 a month available. Mr. Elrich believes that the City should expand its criteria.

Mr. Williams commented that the City could very easily end up in a situation where it would have a loan of \$25,000. They end up not closing and there’s no more funds.

Ms. Daines stated that with the capacity building, they spend a lot of time with tenants' associations, assisting them in finding attorneys. An option would be to stagger the loan. For example, if there's a loan for attorney's costs or engineering, then those themselves are not \$25,000. Right now, without money, tenants would have to identify funding sources. Sometimes a developer will front the money. Sometimes, that's not viable. So this could be staggered.

Ms. Walkers informed the Council that there are two properties that could have benefited from this program. One property has been deteriorating in condition and that Rozanne Look, Community Organizer, has told them that the attorney has requested up to \$5,000 for their services.

Ms. Daines reinforced the fact that there are inherent risks of a lot of public programs.

Mayor Porter agreed with that concern and stated that part of the problem is that when the tenants start the process, they have very little sense of what they are getting into. Some funding can be fronted without them putting up their own money.

Ms. Walker explained that tenants find themselves at an opportunity to purchase. What they need to do at that point is to prepare to go into mortgage issues; many of them have credit issues; they begin saving for their down payment. It is quite a big challenge that the tenants have in terms of saving money and it depends on how large the building is.

Mr. Elrich asked if they could explore with the County - such as the buildings on Carroll Avenue and Manor Circle. They can look at the income stream and the fixed cost of the building to make the building viable. The County offered that before and the City should maintain that engagement.

Ms. Daines stated that there are other possibilities.

Mr. Seamens thanked them both for bringing this forward and for working on this program.

Mayor Porter asked them then what other issues they needed input for from the Council? It didn't sound like there was a lot of support for matching funds. She stated that it would be helpful if they could find additional funding.

Ms. Walker explained that the other issue they had proposed was the number of units that there is a certain percentage of units in a building that is sold to certain tenants. They believed there should be agreements with the tenant association to tenants in the building of that income level. They didn't come up with a percentage.

The Mayor then asked them what happened to those two buildings that they worked in? Ms. Walker replied that they are still in the process. The buildings haven't been sold yet. One is on Sligo Creek and the other one on Manor Circle.

The Mayor also asked if there would be a reason to have a different criteria to existing tenants as opposed to new ones coming in?

Mr. Elrich explained that whatever percentage of the building has to qualify. Whoever is in the building gets to buy one of the units. If they don't qualify, then they need to set up another program.

Ms. Walker stated that that is why they thought the percentage would be lower. At 50%, they would still be able to qualify to purchase individual units. She explained that she heard of revolving loan funds and suggested that it might make sense to use that.

Ms. Daines mentioned that there are similar revolving loan funds and that the feedback they have received from the state level is that it is very unique for that and that revolving loan funds can vary.

Mr. Williams then asked what is it that they are addressing? What's the problem? What eventuality are they furthering to avoid?

Ms. Daines and Ms. Walker then explained that right now the units are not selling at the current market. When tenant associations work with developers, that is another way to keep the units affordable to tenants that are already there. That is the nature. It is keeping that ceiling down and available to the market. The other outcome for having a high percentage is that one could indirectly result increasing sale prices of the units and tenants have less money to do with renovations. Ms. Daines explained that they tried to keep this simple so people will actually access it. If there is too much criteria, it would be difficult.

Mr. Seamens said that he believes the essence is that they move forward with whatever programs they have to keep affordable housing in Takoma Park.

Ms. Daines asked the Council if they are all comfortable with using the 80% median as the threshold. If they are not comfortable doing the matching funds, and they will get more information. They can also come up with a timing schedule. This is the order in which these things are expended. She said that it is straight forward. The State announced that legacy funds are coming out and they have applications coming in. Staff would like to know this evening if there are some other projects the Council would like them to look into. They are looking at an estimated \$200,000-\$250,000 balance of improvements to Carroll Avenue and the commercial section. This is a project that legislation changed the budget for highway administration. The Lieutenant Governor had spoken to Takoma Tower residents and came back and talked to staff about the issue. If there are other projects, staff would like to know it, otherwise they would continue with this.

Ms. Daines continued to explain that there are three options. They will look roughly at one-third of the projects. Forgivable loans are grants, which is the revolving loan, and then they evaluate the application. They recognize that not all projects will have revenues.

The Mayor stated that if it were forgiven, it would disappear, and the City would not know anything, but a revolving loan comes back. A year is better than nothing. She continued to say that a similar thing happened with CDBG loans.

Ms. Daines then informed the Council that they will be returning to report to them on October 24. They have to have a community meeting to get some input and that is less of an issue for the Carroll Avenue project.

## **ADJOURNMENT**

The Council adjourned for the evening at 10:23 p.m.